

REMARKS

Claims 1-21 are pending in the application. Applicant amends claims 1-6, 11-16, and 21 for further clarification. No new matter has been added.

The Examiner objected to claims 1 and 2 for not defining acronyms at their first instances, which Applicant corrects by amendment. Accordingly, Applicant respectfully requests that the Examiner withdraw the objection.

Claims 1, 11, 13-14, and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,530,032 to Shew et al. Applicant respectfully traverses the rejection.

As to claims 1, 11 and 21, Shew et al. describe a path failure causing an interrupt that informs a multiprotocol label switching (MPLS) software process of the failure, and, then, the router being able to adjust the affected next hop fields in the L3 forwarding table for the destination IP prefixes, which use the L1 cut-through path. Col. 8, lines 17-26 of Shew et al. cited by the Examiner.

Shew et al. do not disclose, however, the claimed feature of “signaling failure to another label switching router having an IP address indicating two or more stages upstream in a label switched path (LSP).” (Emphasis added) The MPLS software process described in Shew et al. is merely a software process in a router that detects the path failure, and “adjusting next hop fields” described therein simply means adjusting fields in a table in the router. Fig. 12b of Shew et al.

In other words, Shew et al., as cited and relied upon by the Examiner, fail to disclose,

“[a] label switching router that carries out multiprotocol label switching (MPLS) on an internet protocol (IP) network, comprising said label switching router signaling failure to another label switching router having an IP address indicating *two or more stages upstream* in a label switched path (LSP), when a signal from a reception link in the LSP is no longer detected,” as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1 is patentable over Shew et al. for at least the foregoing reasons. Claims 11 and 21 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Shew et al. for at least the same reasons.

Claims 2-10, 12, and 15-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0060985 to Lee et al. Applicant respectfully traverses the rejection.

As to claims 2 and 12, Lee et al. describe a label switching router (LSR) 6 sensing a failure occurring in a link between the LSR 6 and a LSR 8, and loops back a traffic stream in a reverse direction. Fig. 4 and paragraph [0033] of Lee et al.

Lee et al. do not disclose, however, the claimed feature of “selecting another label switching router having an IP address indicating two or more stages downstream, the other label switching router serving as a path merging label switching router (PML) that receives signals from both the working path and the recovery path.” (Emphasis added) In Lee et al., the LSR 6 sensing the failure only loops back traffic, which means sending traffic in an upstream direction. Therefore, Lee et al., as cited and relied upon by the Examiner, do not disclose selecting another label switching router as a PML at two or more stages downstream.

In other words, Lee et al., as cited and relied upon by the Examiner, fail to disclose

“[a] label switching router that carries out multiprotocol label switching (MPLS) on an internet protocol (IP) network, comprising a path switching label switching router (PSL) that switches from a working path to a recovery path, the PSL selecting another label switching router having an IP address indicating *two or more stages downstream*, the other label switching router serving as a path merging label switching router (PML) that receives signals from both the working path and the recovery path,” as recited in claim 2. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 2, together with claims 3-10 dependent therefrom, is patentable over Lee et al. for at least the foregoing reasons. Claim 12 incorporates features that correspond to those of claim 2 cited above, and is, therefore, together with claims 13-20 dependent therefrom, patentable over Lee et al. for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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